

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

Fax

RECEIVED
CENTRAL FAX CENTER
JAN 19 2005

To: Examiner Kuo-Liang J. Tang **From:** Steven Fischman

Fax: 703-872-9306 **Pages:** 18 pages including cover sheet

Phone: **Date:** January 19, 2005

Re: U.S. Serial No. 09/703,527
Group Art Unit: 2122
Confirmation No: 1908
Docket No. YOR920000357US1 (13734)

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Comments:

Attached hereto:

1. Certificate of Transmission By Facsimile
2. Amendment Transmittal Letter (in duplicate)
3. Amendment
4. Authorization to charge deposit account

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Grace Colucci at ext. 590 or via e-mail at gcolucci@ssmp.com.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

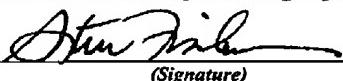
Applicant(s): Matthew R. Arnold, et al.

Docket No.

YOR920000357US1 (13734)

Application No.
09/703,527Filing Date
November 1, 2000Examiner
Kuo-Liang J. TangGroup Art Unit
2122Invention: **SYSTEM AND METHOD FOR CHARACTERIZING PROGRAM BEHAVIOR BY SAMPLING AT
SELECTED PROGRAM POINTS**

Confirmation No: 1908

RECEIVED
CENTRAL FAX CENTER**JAN 19 2005**I hereby certify that this AMENDMENT
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)on January 19, 2005
(Date)Steven Fischman
(Typed or Printed Name of Person Signing Certificate)
(Signature)

Note: Each paper must have its own certificate of mailing.

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Matthew R. Arnold, et al.

Docket No.

YOR920000357US1 (13734)

Application No. 09/703,527	Filing Date November 1, 2000	Examiner Kuo-Liang J. Tang	Customer No. 23389	Group Art Unit 2122	Confirmation No. 1908
-------------------------------	---------------------------------	-------------------------------	-----------------------	------------------------	--------------------------

Invention: **SYSTEM AND METHOD FOR CHARACTERIZING PROGRAM BEHAVIOR BY SAMPLING AT****COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	36 -	36 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. in the amount of
- A check in the amount of to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-0510/IBM
- Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: January 19, 2005

Steven Fischman
Registration No. 34,594

SCULLY, SCOTT, MURPHY & PRESSER

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
(Date)	
Signature of Person Mailing Correspondence	
Typed or Printed Name of Person Mailing Correspondence	

P11LARGE/REV09

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Matthew R. Arnold, et al.

Docket No.

YOR920000357US1 (13734)

Application No. 09/703,527	Filing Date November 1, 2000	Examiner Kuo-Liang J. Tang	Customer No. 23389	Group Art Unit 2122	Confirmation No. 1908
-------------------------------	---------------------------------	-------------------------------	-----------------------	------------------------	--------------------------

Invention: **SYSTEM AND METHOD FOR CHARACTERIZING PROGRAM BEHAVIOR BY SAMPLING AT****COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	36 -	36 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____.
- A check in the amount of _____ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-0510/IBM
- Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: January 19, 2005

Steven Fischman
Registration No. 34,594

SCULLY, SCOTT, MURPHY & PRESSER

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.	
(Date)	
_____ <i>Signature of Person Mailing Correspondence</i>	
_____ <i>Typed or Printed Name of Person Mailing Correspondence</i>	

CC:

RECEIVED
CENTRAL FAX CENTER

JAN 19 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Matthew R. Arnold, et al.

Examiner: Kuo-Liang J. Tang

Serial No: 09/703,527

Art Unit: 2122

Filed: November 1, 2000

Docket: YOR920000357US1 (13734)

For: SYSTEM AND METHOD FOR
CHARACTERIZING PROGRAM
BEHAVIOR BY SAMPLING AT
SELECTED PROGRAM POINTS

Dated: January 19, 2005

Confirmation No: 1908

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Responsive to the Office Action of October 19, 2004, Applicants respectfully request the Examiner to reconsider the application in view of the following remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 10 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: January 19, 2005



Steven Fischman